

## Office Action Summary

**Application No.**

09/420,912

**Applicant(s)**

FORD, JON ALLEN

**Examiner**

Rebecca M Bachner

**Art Unit**

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on September 23, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 27-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 27-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Detailed Action***

1. Claims 1-24 are still pending. Claims 25-26 have been cancelled. Claims 36-59 have been added and are pending.

***Applicant's Amendments***

2. The rejections of claim 25-27 are withdrawn due to the applicant's amendments.

***Claim Rejections - 35 USC §103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-12, 28-29, 32-33, and 36-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. in view of Haq et al.

(Amended) As per claims 1 and 36, Walker et al. disclose a method of selecting a resource for a work item, and a computer-readable medium containing instructions which, when executed in a computer, cause the computer to perform selection of a resource for a work item, comprising:

determining available resources that possess skills needed by the work item (see column 1, lines 61-62, column 2, lines 8-12, and column 4, lines 8-23, there will be forecasts predicting when the resources will become available, when the resources, or

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technicians, become available they will be assigned work items, or jobs, only resources with the necessary skills will be matched with the work item); and

for each of the determined resources, determining a business value of having the resource service the work item, the business value being a measure of qualification of the resource for servicing the work item based on skills of the resource and skill requirements of the work item (see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job, the business value is a measure of the qualification of the resource and the work item based on skills and requirements).

Walker did not explicitly disclose for each of the determined resources, determining a value to the resource of servicing the work item, the value to the resource being a measure of how the resource is spending time compared with other resources and goals to the individual resource; and selecting a determined resource that has a best combined value of the business value and the value to the resource, to serve the work item. However, Walker did disclose a work item being assigned to a resource for the purposes of training the resource. Haq et al. on page 5, explicitly teaches the use of employees training and career development (see abstract). Haq et al. discloses measuring how a resource is spending time compared with other resources and that resource's goals (see column 7, lines 38-67, and column 8, lines 1-2). Haq et al. also teaches allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15).

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Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to create a value to the resource of servicing the work item as this would allow employees to have preferences in the jobs they work increasing their employee satisfaction which may further lead to higher productivity and profit for the company.

(Amended) As per claim 28, Walker discloses an apparatus comprising a processor for selecting a resource for a work item, comprising:

Means for determining available resources that possess skills needed by the work item (see column 1, lines 61-62, column 2, lines 8-12, and column 4, lines 8-23, there will be forecasts predicting when the resources will become available, when the resources, or technicians, become available they will be assigned work items, or jobs, only resources with the necessary skills will be matched with the work item); and

Means for determining, for each of the determined resources, a value to the resource of serving the work item, the business value being a measure of qualification of the resource for servicing the work item based on skills of the resource and skills of the resource and skill requirements of the work item ((see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job, the business value is a measure of the qualification of the resource and the work item based on skills and requirements).

Walker did not explicitly disclose means for each of the determined resources, a value to the resource of servicing the work item, the value to the resource being a

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measure of how the resource is spending time compared with the other resources and goals of the individual resource; and means for selecting a determined resource that has a best combined value of the business value and the value to the resource, to serve the work item. However, Walker did disclose a work item being assigned to a resource for the purposes of training the resource. Haq et al. on page 5, explicitly teaches the use of employees training and career development (see abstract). Haq et al. discloses measuring how a resource is spending time compared with other resources and that resource's goals (see column 7, lines 38-67, and column 8, lines 1-2). Haq et al. also teaches allowing employees to preference their assignments (see column 9, lines 50-60). Therefore, it would be obvious to one of ordinary skill in the art to create a value to the resource of servicing the work item as this would allow employees to have preferences in the jobs they work increasing their employee satisfaction which may further lead to higher productivity and profit for the company.

(Amended) As per claim 29, Walker discloses an apparatus for selecting a resource for a work item, comprising:

Means for determining available resources that possess skills needed by the work item (see column 1, lines 61-62, column 2, lines 8-12, and column 4, lines 8-23, there will be forecasts predicting when the resources will become available, when the resources, or technicians, become available they will be assigned work items, or jobs, only resources with the necessary skills will be matched with the work item); and

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Means for determining, for each of the determined resources, a business value comprising a sum across all skills of a product of a skill level of the resource in the skill and a skill weight of the work item for the skill (see column 7, lines 11-24, every resource, or technician, contains a skill level and is weighted according to this skill level when combined with a work item, or job);

Walker does not explicitly disclose a means for determining, for each of the determined resources, a resource treatment value, the resource treatment value being a measure of how the resource is spending time compared with the other resources and goals of the individual resource, the resource treatment value comprising a sum across all resource treatments of a product of a value of the resource for the resource treatment; and a weight of the work item for the resource treatment; and a means for selecting a determined resource that has a best combined score of its business value and its resource treatment value, to serve the work item. However, Haq et al. discloses measuring how a resource is spending time compared with other resources and that resource's goals (see column 7, lines 38-67, and column 8, lines 1-2). Haq et al. also teaches creating a resource treatment value by allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). Therefore, it would be obvious to one of ordinary skill in the art to create a resource treatment value as it allows a resource, or technician, to have a value in creating an optimal pairing of high priority work items and high employee preferences.

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(Amended) As per claim 32, Walker discloses an arrangement for selecting a resource for a work item, comprising:

An effector of determining available resources that possess skills needed by the work item (see column 1, lines 61-62, column 2, lines 8-12, and column 4, lines 8-23, there will be forecasts predicting when the resources will become available, when the resources, or technicians, become available they will be assigned work items, or jobs, only resources with the necessary skills will be matched with the work item); and

An effector of determining, for each of the determined resources, a business value to the resource of serving the work item, the value to the resource being a measure of how the resource is spending time compared with other resources and goals of the individual resource (see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job, the business value is a measure of the qualification of the resource and the work item based on skills and requirements).

Walker did not explicitly disclose an effector of determining, for each of the determined resources, an effector of determining, a value to the resource of servicing the work item, the value to the resource being a measure of how the resource is spending time compared with the other resources and goals of the individual resource; and an effector of selecting a determined resource that has a best combined value of the business value and the value to the resource, to serve the work item. However, Walker did disclose a work item being assigned to a resource for the purposes of



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training the resource. Haq et al. on page 5, explicitly teaches the use of employees training and career development (see abstract). Haq et al. discloses measuring how a resource is spending time compared with other resources and that resource's goals (see column 7, lines 38-67, and column 8, lines 1-2). Haq et al. also teaches allowing employees to preference their assignments (see column 9, lines 50-60). Therefore, it would be obvious to one of ordinary skill in the art to create a value to the resource of servicing the work item as this would allow employees to have preferences in the jobs they work increasing their employee satisfaction which may further lead to higher productivity and profit for the company.

(Amended) As per claim 33, Walker et al. disclose an arrangement for selecting a resource for a work item, comprising:

An effector of determining available resources that possess skills needed by the work item (see column 1, lines 61-62, column 2, lines 8-12, and column 4, lines 8-23, there will be forecasts predicting when the resources will become available, when the resources, or technicians, become available they will be assigned work items, or jobs, only resources with the necessary skills will be matched with the work item); and

An effector of determining, for each of the determined resources, a business value comprising a sum across all skills of a product of a skill level of the resource in the skill and a skill weight of the work item for the skill (see column 7, lines 11-24, every resource, or technician, contains a skill level and is weighted according to this skill level when combined with a work item, or job);



Walker does not explicitly disclose an effector of determining, for each of the determined resources, a resource treatment value, the resource treatment value being a measure of how the resource is spending time compared with other resources and goals of the individual resource, the treatment value comprising a sum across all resource treatments of a product of a value of the resource for the resource treatment and a weight of the work item for the resource treatment; and an effector of selecting a determined resource that has a best combined score of its business value and its resource treatment value, to serve the work item. However, Haq et al. discloses measuring how a resource is spending time compared with other resources and that resource's goals (see column 7, lines 38-67, and column 8, lines 1-2). Haq et al. also teaches creating a resource treatment value by allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). Therefore, it would be obvious to one of ordinary skill in the art to create a resource treatment value as it allows a resource, or technician, to have a value in creating an optimal pairing of high priority work items and high employee preferences.

As per claims 2, and 37, Walker et al. disclose all the limitations of claims 1, and 36 wherein determining a business value comprises:

determining the business value weighted by a business value weight corresponding to the work item (see column 7, lines 18-24, a weight is considered when determining the value for the work item).

Walker does not explicitly disclose determining a value to the resource comprises determining the value to the resource weighted by a resource value weight corresponding to the work item and selecting comprises selecting a determined resource that has a best combined value of the weighted business value and the weighted value to the resource. However, Walker does disclose the idea of using a weight that takes into account the value of the technician's non-productive time (see column 7, lines 11-24, the cost of the resource working on the work item is weighted with a probability. The technician's non-productive time, in addition to not being a positive value for the company, can also be a negative value for the technician, or resource, as his/her time is wasted if they are waiting for a job or task to begin.) Haq et al. teaches allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). It would be obvious to one of ordinary skill in the art at the time of the invention to create a value to the resource weighted by a resource value weight corresponding to the work item as this would allow employees to have weighted preferences in the jobs they work increasing their employee satisfaction. By creating a value that comprises selecting a determined resource that has a best combined value of the weighted business value and the weighted value to the resource, the company may increase productivity and profit for the company.

As per claims 3 and 38, Walker et al. disclose all the limitations of the method of claims 2 and 37 wherein: determining a business value comprises determining a weighted business value as a product of

(a) the business value weight corresponding to the work item (see column 7, lines 11-24, the weight corresponds to the work item); and

(b) a sum of products of a level of each said needed skill of the resource and a weight of said needed skill of the work item (see column 7, lines 11-24, a cost will be weighted for a work item in which the resource needs a particular skill).

Walker does not explicitly teach determining a value to the resource comprises determining a weighted resource treatment value as a products of (c) a resource treatment weight corresponding to the work item and (d) a sum of products of each treatment of the resource and a weight of the treatment of the resource. Walker does disclose creating a weight corresponding to a work item (see column 7, lines 11-24). Haq et al. teaches allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). It would be obvious to one of ordinary skill in the art at the time of the invention to create weighted value for the technicians as a product of the weighted technician's preferences and a sum of products of each treatment of the resource and a weight of the treatment of the resource as this would allow employees to have weighted preferences in the jobs they work increasing their employee satisfaction. By creating weighted resource treatment value, the company many increase productivity and profit for the company.

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As per claims 4, and 39, Walker et al. disclose all the limitations of claims 3, and 38. Walker does disclose scaling business values (see column 7, lines 11-24, the weights are used to scale values). Walker does not explicitly disclose the sum of the products being scaled. Haq et al. teaches allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). The value created by Haq is scalable. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to create scale the sum of the products as this would allow one to incorporate both the business value of having the resource service the work item and the value to the resource of servicing the work item. By incorporating both values in a scaled sum, both the company's profits and the technician's preferences can be optimized.

As per claims 5 and 40, Walker et al. disclose all the limitation of claims 4 and 39 wherein: selecting comprises selecting the determined resource that has a highest weighted business value (see column 2, lines 8-12, a combination of weighted business values is taught. Walker et al. uses the lowest sum combination rather than the largest sum to find the best combination).

Walker does not explicitly disclose selecting the determined resource that has a highest sum of the weighted business value and the weighted resource treatment value. However, Haq et al. teaches allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). It would be obvious to one of ordinary skill in the art to score the work items

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and resources, as it allows them to be matched based on an optimal pairing of high priority work items and high employee preferences.

As per claims 6 and 41, Walker et al. disclose all the limitations of claims 3 and 38 wherein: the resource treatments of a resource comprise a time since the resource became available and a time that the resource has not spent serving work items (see column 1, lines 61-62, the time that the resource is available is forecasted).

As per claims 7 and 42, Walker et al. disclose all the limitations of the method of claims 6 and 41, wherein the treatments of the resource further comprise a measure of an effect that serving of the work item would have on a goal of the resource (see column 2, lines 8-12, the resource and the work item with the smallest cost combination are matched, by keeping a small cost combination, the resource can earn a higher profit from the work item).

As per claims 8 and 43, Walker et al. disclose all the limitations of claims 7 and 42 wherein the measure of the effect comprises a difference between (a) a distance of an actual allocation of worktime of the resource among skills from a goal allocation of the work time of the resource among the skills and (b) a distance of an estimated allocation of the worktime a of the resource among the skills if the resource serves the work item from the goal allocation (see figure 16, and column 7, lines 35-59, the time that the resource completes the work item is predicted and displayed on the matrix;

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when the resource states that the work item is completed on time, early or late, the matrix changes and the values are recalculated to create low cost matches of the highest priority work items).

(Amended) As per claims 9 and 44, Walker et al. discloses a method of selecting a resource for a work item, a computer-readable medium containing instructions which, when executed in a computer, cause the computer to perform selection of a resource for a work item, comprising:

determining available resources that possess skills needed by the work item (see column 4, lines 8-12, the work item, or job, may require a resource to have a particular skill); and

for each of the determined resources, determining a business value comprising a sum across all skills of a product of a skill level of the resource in the skill and a skill weight of the work item for the skill (see column 7, lines 11-24, every resource, or technician, contains a skill level and is weighted according to this skill level when combined with a work item, or job).

Walker does not explicitly disclose for each of the determined resources, determining a resource treatment value, the resource treatment value being a measure of how the resource is spending time compared with other resources and goals of the individual resource, the resource treatment value comprising a sum across all resource treatments of a product of a value of the resource for the resource treatment and a weight of the work item for the resource treatment; and selecting a determined resource

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that has a best combined score of its business value and its resource treatment value, to serve the work item. However, Haq et al. discloses measuring how a resource is spending time compared with other resources and that resource's goals (see column 7, lines 38-67, and column 8, lines 1-2). Haq et al. also teaches creating a resource treatment value by allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). Therefore, it would be obvious to one of ordinary skill in the art to create a resource treatment value as it allows a resource, or technician, to have a value in creating an optimal pairing of high priority work items and high employee preferences.

As per claims 10 and 45, Walker et al. disclose all the limitations of claims 9 and 44, wherein the resource treatments of a resource comprise a time since the resource became available, a time that the resource has spent not serving work items, and a measure of an effect that serving the work item would have on a goal of the resource (see column 1, lines 61-62, the time that the resource is available is forecasted and column 14, lines 20-24, the resource that has completed a work item and has no new tasks assigned a new task by the method shown in figure 5, the new allocation would be based on the values calculated using the particular resource and the priority of the available work items to determine the best combination).

As per claims 11 and 46, Walker et al. discloses all the limitations of claims 9 and 44 wherein:



determining a business value comprises determining a scaled business value comprising the business value scaled by a first scaling factor that is common to all of the determined resources (see figure 12, and column 7, lines 11-24, the weights for probabilities are applied to all the resources having particular skills or other time involved in carrying out a work item);

Walker does not explicitly disclose determining a resource treatment value that comprises for each resource treatment, determining a scaled value of the resource comprising the value of the resource for that resource treatment scaled by a scaling factor that is common for that resource treatment to all of the determined resources, and determining a scaled resource treatment value comprising a sum, scaled by a second scaling factor that is common to all of the determined resources, across all resource treatments of a product of the scaled value of the resource for the resource treatment and a weight of the work item for the resource treatment. However, Walker does disclose scaling values using probabilities (see column 6, lines 64-67 through column 7, lines 1-24). Haq et al. teaches creating a resource treatment value by allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). Therefore, it would be obvious to one of ordinary skill in the art to create a scaled resource treatment value as it allows a resource, or technician, to have a value in creating an optimal pairing of high priority work items and high employee preferences. One would be motivated to scale the resource value as scaling a value allows it increases the accuracy of the comparison.

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As Walker does not disclose a resource treatment value, Walker also does not disclose selecting a determined resource that has a best sum of its scaled business value and scaled resource treatment value to serve the work item. However, as Haq discloses creating a resource treatment value by allowing employees to preference their assignments and a value is created for their preferences (see column 9, lines 50-67, through column 10, lines 1-15). It would be obvious for one of ordinary skill in the art to create a best sum of its scaled business value and scaled resource treatment value as it optimizes both the company's profits and the technician's preferences.

As per claims 12 and 47, Walker et al. disclose all the limitations of claims 11 and 46 wherein: each scaling factor comprises a fraction having in its denominator a maximum value of the value to which said scaling factor applies of any of the resources (see column 7, lines 11-24, the scaling factor is a probability, therefore, its value can only be a number between zero and one).

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5. Claims 13-24, 27, 30-31, 34-35, and 48-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al.

(Amended) As per claim 13, Walker et al. disclose a method of selecting a work item for a resource, comprising:

determining available work items that need skills possessed by the resource (see column 1, lines 61-62, column 2, lines 8-12, and column 4, lines 8-23, there will be forecasts predicting when the resources will become available, when the resources, or technicians, become available they will be assigned work items, or jobs; only resources with the necessary skills will be matched with the work item);

for each of the determined work items, determining a business value of having the resource service the work item the business value being a measure of qualification of the resource for servicing of the work item based on skills of the resource and skill requirements of the work item (see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job, the business value is a measure of the qualification of the resource and the work item based on skills and requirements).

Walker does not explicitly disclose determining a value to the work item of being serviced by the resource, the value to the work item being a measure of how the work item is treated compared to other work items and treatment goals of the individual work item; and selecting a determined work item that has a best-combined value of the

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business value and the value to the work item to be served by the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art to determine the value of the work item and select the best combined business and work item value to the job. One would be motivated to do this, as this method selects the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

As per claim 14, Walker et al. disclose all the limitations of the method of claim 13 wherein: determining business value comprises determining the business value weighted by a business value weight corresponding to the work item (see column 7, lines 18-24, a weight is considered when determining the value for the work item).

Walker does not explicitly disclose determining a value to the work item comprises determining the value to the work item weighted by a work item value weight corresponding to the work item; and selecting comprises selecting a determined work item that has a best combined value of the weighted business value and the weighted value to the work item. Walker does disclose weighted values (see column 7, lines 35-59). It is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of

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the resource, or technician, assigned to fixed the plumbing. Therefore it would be obvious to one of ordinary skill in the art at the time of the invention to weight a work item as weighting a value allows it to be accuracy compared with other values. It would also be obvious for one to select the best combined business and work item value as this method selects the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

As per claim 15, Walker et al. disclose all the limitations of the method of claim 14 wherein: determining a business value comprises determining a weighted business value as a product of (a) the business value weight corresponding to the work item (see column 7, lines 11-24, the weight corresponds to the work item); and

(b) a sum of products of a level of each said needed skill of the resource and a weight of said needed skill of the work item (see column 7, lines 11-24, a cost will be weighted for a work item in which the resource needs a particular skill).

Walker does not explicitly teach determining a value to the work item comprises determining a weighted work item treatment value as a product of (c) a work item treatment weight corresponding to the work item; and (d) a sum of products of each treatment of the work item and a weight of the treatment of the a work item. However, Walker does teach the use of weights (see column 7, lines 11-24). It is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician,

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assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to weight a work item and a sum of products of each treatment of the work item as weighting a value allows the value to be accurately compared to other values.

As per claim 16, Walker et al. discloses all the limitations of the method of claim 15. Walker does not explicitly disclose wherein the sums of products are scaled sums, and the treatments are scaled treatments. However, Walker does disclose weights and scaling sums (see column 7, lines 11-24). It is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to select the best combined business and work item value as this method selects the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

As per claim 17, Walker et al. disclose all the limitations of the method of claim 16. Walker does not explicitly disclose selecting the determined work item that has a highest sum of the weighted business value and the weighted work item treatment value. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work

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item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to select the highest sum of the weighted business and work item values as this method selects the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

As per claim 18, Walker et al. disclose all the limitations of the method of claim 15 wherein the work item treatments of a work item comprise a time that the work item has been waiting for service and an estimated time that the work item will have to wait for service (see column 3, lines 53-65, and column 4, lines 40-41, a time is determined when the work item should be performed).

As per claim 19, Walker et al. disclose all the limitations of the method of claim 18 wherein the treatments of a work item further comprise a time by which the work item has exceeded its target wait time (see column 6, lines 53-63, the cost function for each work item indicates if the target wait time or agreed upon time has been exceeded).

As per claim 20, Walker et al. discloses all the limitations of the method of claim 18 wherein the estimated wait time that the work item will have to wait for service comprises a product of (a) a ratio of a total number of work items waiting for service and an average number of work items waiting for service and (b) a sum of average wait



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times of individual said needed skills each weighted by a ratio of the weight of said individual skill and a sum of the weights of the needed skills. (see figure 16, and column 6, lines 53-63 and column 7, lines 11-24, and 35-59, the time is estimated for a work item and weighted, it is predicted and displayed on the matrix and assigned to a resource who has the skills needed to complete the work item, a ratio and the average wait would be easily determined from the matrix as priority is assigned to every received work item).

(Amended) As per claim 21, Walker et al. discloses a method of selecting a work item for a resource, comprising: determining available work items that need skills possessed by the resource (see column 4, lines 8-12, the work item, or job, may require a resource, or technician, to have a particular skill); and

for each of the determined work items, determining a business value comprising a sum across all skills of a product of a skill level of the resource in the skill and a skill weight of the work item for the skill (see column 7, lines 11-24, every resource contains a skill level and is weighted according to this skill level when combined with a work item.

Walker does not explicitly disclose for each of the determined work items, determining a work item treatment value, the work item treatment value being a measure of how the work item is treated compared to other work items and treatment goals of the individual work item, the work item treatment value, comprising a sum across all work item treatments of a product of the value of the work item for the work item treatment and a weight of the a work item forth a work item treatment; and

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selecting a determined work item that has a best combined score of its business value and work item treatment value, to be served by the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fix the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to determine a work item treatment value comprising a sum across all work item treatments and select a determined work item that has a best combined score to be served by the resource, as this allows the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

As per claim 22, Walker et al. disclose all the limitations of the method of claim 21 wherein: the work item treatments of a work item comprise a time that the work item has spent waiting to be serviced, an estimated time that the item will spend waiting to be serviced, and a time by which the work item has exceeded its target waiting time (see column 16, lines 56-67, through column 17, lines 1-5, the work items are divided into categories of priority, the time dependent cost function is found for every work item which calculates the waiting time).

As per claim 23, Walker et al. disclose all the claims of the method of claim 21 wherein: determining a business value comprises determining a scaled business value comprising the business value scaled by a first scaling factor that is common to all of

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the determined work items (see figure 12, and column 7, lines 11-24, the weights for probabilities are applied to all the work items needing a particular set of skills).

Walker does not explicitly disclose determining a scaled value of the work item comprising the value of the work item treatment scaled by a scaling factor that is common for that work item treatment to all of the determined work items; and determining a scaled work item treatment value comprising a sum, scaled by a second scaling factor that is common for all of the determined work items, across all work item treatments of a product of the scaled value of the work item treatment and a weight of the work item for the work item treatment. However, Walker does disclose summing and scaling values (column 7, lines 11-24). It is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to determine a scaled work item treatment value as this allows the different scaled values to be accurately compared.

Walker also does not explicitly disclose selecting a determined work item that has a best sum of its scaled business value and its scaled work item treatment value, to be is served by the resource. Walker does disclose weighting or scaling values (column 7, lines 11-24). It is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the

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expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to select a determined work item that has a best sum value as this allows the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

As per claim 24, Walker et al. disclose all the limitations of the method of claim 23 wherein: each scaling factor comprises a fraction having in its denominator a maximum value of the a value to which said scaling factor applies of any of the work items (see column 7, lines 11-24, the scaling factor is a probability, therefore, its value can only be a number between zero and one).

As per claim 27, Walker and Haq et al. disclose an apparatus comprising a processor that executes instructions to effect the method of one of the claims 1-24 (see column 5, lines 49-57, the apparatus performs the methods listed in claims 1-24).

(Amended) As per claim 30, Walker et al. disclose an apparatus for selecting a work item for a resource, comprising:

Means for determining available work items that need skills possessed by the resource (see column 1, lines 63-67, and column 4, lines 8-12, the work item, or job, may require a resource, or technician, to have a particular skill);

Means for determining, for each of the determined work items, a business value of having the resource service the work item, the business value being a measure of

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qualification of the resource for servicing the work item based on skills of the resource and skills of the resource and skill requirements of the work item (see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job, the business value is a measure of the qualification of the resource and the work item based on skills and requirements).

Walker does not explicitly disclose a means for determining a value to the work item of being serviced by the resource, the value to the work item being a measure of how the work item is treated compared to other work items and treatment goals of the individual work item, the work item treatment value comprising a sum across all work item treatments of a product of the value of the work item for the work item treatment and a weight of the work items for the work item treatment; and a means for selecting a determined work item that has a best-combined value of the business value and the value to the work item to be served by the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore it would be obvious to one of ordinary skill in the art to determine the value of the work item and select the best combines business and work item value to the job. One would be motivated to do this, as this allows the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

(Amended) As per claim 31, Walker et al. discloses an apparatus for selecting a work item for a resource comprising:

Means for determining available work items that need skills possessed by the resource (see column 1, lines 63-67, and column 4, lines 8-12, the work item, or job, may require a resource, or technician, to have a particular skill);and

Means for determining, for each of the determined work items, determining a business value comprising a sum across all skills of a product of a skill level of the resource in the skill and a skill weight of the work item for the skill (see column 7, lines 11-24, every resource contains a skill level and is weighted according to this skill level when combined with a work item.

Walker does not explicitly disclose a means for determining, for each of the determined work items, determining a work item treatment value, the work item treatment value being a measure of how the work item is treated compared to other work items and treatment goals of the individual work item, the work item treatment value comprising a sum across all work item treatments of a product of the value of the work item for the work item treatment and a weight of the a work item forth a work item treatment; and a means for selecting a determined work item that has a best combined score of its business value and work item treatment value, to be served by the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of

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the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to determine a work item treatment value comprising a sum across all work item treatments and select a determined work item that has a best combined score to be served by the resource as this allows the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

(Amended) As per claim 34, Walker et al. disclose an arrangement for selecting a resource for a work item, comprising:

An effector of determining available work items that need skills possessed by the resource (see column 1, lines 63-67, and column 4, lines 8-12, the work item, or job, may require a resource, or technician, to have a particular skill);

An effector of determining, for each of the determined work items, a business value of having the resource service the work item, the business value being a measure of qualification of the resource for servicing the work item based on skills of the resource and skills of the resource and skill requirements of the work item (see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job, the business value is a measure of the qualification of the resource and the work item based on skills and requirements).

Walker does not explicitly disclose an effector of determining a value to the work item of being serviced by the resource, the value to the work item being a measure of



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how the work item is treated compared to other work items and treatment goals of the individual work item, the work item treatment value; and an effector of selecting a determined work item that has a best-combined value of the business value and the value to the work item to be served by the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore it would be obvious to one of ordinary skill in the art to determine the value of the work item and select the best combines business and work item value to the job. One would be motivated to do this, as this allows the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

(Amended) As per claim 35, Walker et al. disclose an arrangement for selecting a resource for a work item, comprising:

An effector of determining available work items that need skills possessed by the resource (see column 1, lines 63-67, and column 4, lines 8-12, the work item, or job, may require a resource, or technician, to have a particular skill); and

An effector of determining, for each of the determined work items, a business value comprising a sum across all skills of a product of a skill level of the resource in the skill and a skill weight of the work item for the skill (see column 7, lines 11-24, every

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resource contains a skill level and is weighted according to this skill level when combined with a work item.

Walker does not explicitly disclose an effector of determining, for each of the determined work items, a work item treatment value, the work item treatment value being a measure of how the work item is treated compared to other work items and treatment goals of the individual work item, the work item treatment value comprising a sum across all work item treatments of a product of the value of the work item for the work item treatment and a weight of the a work item forth a work item treatment; and an effector of selecting a determined work item that has a best combined score of its business value and work item treatment value, to be served by the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to determine a work item treatment value comprising a sum across all work item treatments and select a determined work item that has a best combined score to be served by the resource as this allows the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

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(Amended) As per claim 48, Walker discloses a computer-readable medium containing instructions which, when executed in a computer, cause the computer to perform selection of a work item for a resource, comprising:

Determining available work items that need skills possessed by the resource (see column 1, lines 63-67, and column 4, lines 8-12, the work item, or job, may require a resource, or technician, to have a particular skill); and

For each of the determined work items, determining a business value of having the resource service the work item, the business value being a measure of qualification of the resource for servicing the work item based on skills of the resource and skills of the resource and skill requirements of the work item (see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job).

Walker did not explicitly disclose for each of the determined work items, determining a value to the work item of servicing by the resource, the value to the work item being a measure of how the work item is treated compared to the other work items and treatment goals of the individual work item; and selecting a determined work item that has a best combined value of the business value and the value to the work item, to serve the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fix the plumbing.

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Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to determine a work item treatment value comprising a sum across all work item treatments and select a determined work item that has a best combined score to be served by the resource as this allows the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

(Amended) As per claim 49, Walker et al. disclose all the limitations of claim 48 wherein determining a business value comprises:

determining the business value weighted by a business value weight corresponding to the work item (see column 7, lines 18-24, a weight is considered when determining the value for the work item).

Walker does not explicitly disclose determining a value to the work item comprises determining the value to the work item weighted by a work item value weight corresponding to the work item and selecting comprises selecting a determined work item that has a best combined value of the weighted business value and the weighted value to the work item. However, Walker does disclose the idea of using a weight that takes into account the value of the work item's non-productive time (see column 7, lines 11-24, the cost of the resource working on the work item is weighted with a probability. The non-productive time, in addition to not being a positive value for the company, can also be a negative value if time is wasted if and no one is working on the work item). It is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a

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task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to create a value to the work item weighted by a work item value weight corresponding to the work item as this would allow the more important work items (or tasks) to be completed first. By creating a value that comprises selecting a determined work item that has a best combined value of the weighted business value and the weighted value to the work item, the company may increase productivity and profit for the company.

As per claim 50, Walker et al. disclose all the limitations of the method of claim 49 wherein: determining a business value comprises determining a weighted business value as a product of

(a) the business value weight corresponding to the work item (see column 7, lines 11-24, the weight corresponds to the work item); and

(b) a sum of products of a level of each said needed skill of the resource and a weight of said needed skill of the work item (see column 7, lines 11-24, a cost will be weighted for a work item in which the resource needs a particular skill).

Walker does not explicitly teach determining a value to the work item comprises determining a weighted work item treatment value as a product of (c) a work item treatment weight corresponding to the work item and (d) a sum of products of each treatment of the work item and a weight of the treatment of the work item. Walker does disclose creating a weight corresponding to a work item (see column 7, lines 11-24). It

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is old and well known in the art to have a weighted work item treatment be the product of a work item treatment weight and a sum of products of the treatment. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to create weighted value for the work item as a product of the weighted work item and a sum of products of each treatment of the work item and a weight of the treatment of the work item as this would allow more important work items to be completed first. By creating weighted work item treatment value, the company may increase productivity and profit for the company.

As per claim 51, Walker et al. disclose all the limitations of claim 50. Walker does disclose scaling business values (see column 7, lines 11-24, the weights are used to scale values). Walker does not explicitly disclose the sum of the products being scaled. However, it is old and well known in the art to scale the sum of the products as this would allow one to incorporate both the business value of having the resource service the work item and the value to the resource of servicing the work item. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to scale the sum of the products as by incorporating both values in a scaled sum, both the company's profits and the technician's preferences can be optimized.

(Amended) As per claims 52, Walker et al. disclose all the limitation of claim 51 wherein: selecting comprises selecting the determined work item that has a highest weighted business value (see column 2, lines 8-12, a combination of weighted

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business values is taught. Walker et al. uses the lowest sum combination rather than the largest sum to find the best combination).

Walker does not explicitly disclose selecting the determined work item that has a highest sum of the weighted business value and the weighted work item treatment value. However, it is old and well known in the art to select a work item with the highest sum of the business value and treatment value. It would be obvious to one of ordinary skill in the art to score the work items and resources, as it allows them to be matched based on an optimal pairing of high priority work items and high employee preferences.

As per claim 53, Walker et al. disclose all the limitations of claim 50 wherein: the work item treatments of a work item comprise a time that work item has been waiting for service (see column 17, lines 36-41, the work item is waiting for service). Walker et al. do not explicitly disclose an estimated time that the work item will have to wait for service. However, it is old and well known in the art to provide an estimate as to how long a work item will need to wait to be serviced. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided an estimate on the time a work item will have to wait as it allows one to plan around when the resource will service the work item.

As per claim 54, Walker et al. disclose all the limitations of the method of claim 53, wherein the treatments of the work item further comprise a time by which the work item has exceeded its target wait time (see column 2, lines 8-12, the resource and the



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work item with the smallest cost combination are matched, by keeping a small cost combination, the resource can earn a higher profit from the work item).

(Amended) As per claim 55, Walker et al. disclose all the limitations of claim 53, wherein the time that the resource completes the work item is predicted and displayed on the matrix. When the resource states that the work item is completed on time, early or late, the matrix changes and the values are recalculated to create low cost matches of the highest priority work items (see figure 16, and column 7). Walker et al. does not explicitly disclose an estimated weight time that the work item will have to wait for service comprises a product of (a) a ratio of a total number of work items waiting for service and an average number of work items waiting for service and (b) a sum of average wait times of individual said needed skills each weighted by a ratio of the weight of said individual skill and a sum of the weights of the needed skills. However, it is old and well known to estimate the wait time by using a ratio of the total work items and a sum of the average weight times. Therefore, it would have been obvious to one of ordinary skill in the art to have provided an estimate on the time a work item will have to wait as it allows one to plan around when the resource will service the work item.

(Amended) As per claim 56, Walker et al. discloses a computer readable medium containing instructions which, when executed in a computer, cause the computer to perform selection of a resource for a work item, comprising:

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determining available work items that need skills possessed by the resource (see column 1, lines 63-67, and column 4, lines 8-12, the work item, or job, may require a resource, or technician, to have a particular skill); and

for each of the determined work items, determining a business value comprising a sum across all skills of a product of a skill level of the resource in the skill and a skill weight of the work item for the skill (see column 1, lines 65-67, through column 2, lines 1-12, and column 3, lines 1-16, the business value is determined by finding the amount of time it would take the resource, or technician, to complete the work item, or job).

Walker does not explicitly disclose for each of the determined work items, determining a work item treatment value, the work item treatment value being a measure of how the resource is spending time compared with other work items and treatment goals of the individual work item, the work item treatment value comprising a sum across all work item treatments of a product of a value of the work item for the work item treatment and a weight of the work item for the work item treatment; and selecting a determined work item that has a best combined score of its business value and its work item treatment value, to be served by the resource. However, it is common in the art that the value to the work item being serviced by the resource is highest when the most qualified resource is assigned to the work item. For example, a task that needs a plumber would place the highest value on the expertise of the resource, or technician, assigned to fixed the plumbing. Therefore, it would be obvious to one of ordinary skill in the art to create a work treatment value as it allows a work item to have a value in creating an optimal pairing of high priority work items and high employee preferences.

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One would be further motivated to determine a work item treatment values as it ensures that the most skilled resource to work on the most difficult, or technically challenging, work item, or job.

(Amended) As per claim 57, Walker et al. disclose all the limitations of claim 56, wherein the work item treatments of a work item comprise a time that the work item has spent time waiting to be serviced (see column 17, lines 36-41, the work item is waiting for service). Walker et al. do not explicitly disclose an estimated time that the item will spend waiting to be serviced, and a time by which the work item has exceeded its target waiting time. However, it is old and well known in the art to provide an estimate as to how long a work item will need to wait to be serviced and have a target waiting time. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided an estimate and target waiting time for a work item as it allows one to plan around when the resource will service the work item.

(see column 1, lines 61-62, the time that the resource is available is forecasted and column 14, lines 20-24, the resource that has completed a work item and has no new tasks assigned a new task by the method shown in figure 5, the new allocation would be based on the values calculated using the particular resource and the priority of the available work items to determine the best combination).

(Amended) As per claim 58, Walker et al. discloses all the limitations of claim 56 wherein:

determining a business value comprises determining a scaled business value comprising the business value scaled by a first scaling factor that is common to all of the determined work items (see figure 12, and column 7, lines 11-24, the weights for probabilities are applied to time involved in carrying out a work item);

Walker does not explicitly disclose determining a work item treatment value that comprises for each work item treatment, determining a scaled value of the work item comprising the value of the work item for that work item treatment scaled by a scaling factor that is common for that work item treatment to all of the determined work items, and determining a scaled resource treatment value comprising a sum, scaled by a second scaling factor that is common to all of the determined work items, across all work item treatments of a product of the scaled value of the work item for the work item treatment and a weight of the work item for the work item treatment. However, Walker does disclose scaling values using probabilities (see column 6, lines 64-67 through column 7, lines 1-24) and creating priorities of work items (see column 17, lines 47-51). It is old and well known in the art to have a work item treatment value using a scaled value of the work item and the resource. Therefore, it would be obvious to one of ordinary skill in the art to create a scaled work item treatment value as it allow the work item to have a value in creating an optimal pairing of high priority work items and high employee preferences. One would be motivated to scale the resource value as scaling a value allows it increases the accuracy of the comparison.

As Walker does not disclose a work item treatment value, Walker also does not disclose selecting a determined work item that has a best sum of its scaled business value and scaled work item treatment value, to be served by the resource. However, it is old and well known in the art to select a work item treatment that has a best sum of its scaled business value. It would be obvious for one of ordinary skill in the art to create a best sum of its scaled business value and scaled resource treatment value as it optimizes both the company's profits and the technician's preferences.

(Amended) As per claim 59, Walker et al. disclose all the limitations of claim 58 wherein: each scaling factor comprises a fraction having in its denominator a maximum value of the value to which said scaling factor applies of any of the work item (see column 7, lines 11-24, the scaling factor is a probability, therefore, its value can only be a number between zero and one).

***Response to Arguments***

6. Applicant argues 1) that Walker does not teach determining a business value of having the resource service the work item, the business value being a measure of qualification of the resource for servicing the work item based on skills of the resource and skill requirements of the work item; 2) Haq et al. do not teach determining a value to the resource of servicing the work item, the value to the resource being a measure of how the resource is spending time compared with other resources and goals to the individual resource.

In response to argument 1, Walker teaches the business value. Only resources that contained the necessary skills required by the work item are matched together. In column 1, lines 65-67, through column 2, lines 1-12, Walker explains how the business value is calculated. The business value is a measure of the qualifications of the work items and the resource. The business value is further detailed in column 3, lines 1-16, as the parameters of the work item and resources measure the qualifications used to determine the business or cost function. Furthermore, column 4, lines 8-23, discloses the necessity of matching skill requirements with resources and work items.

In response to argument 2, Haq et al. teaches determining a value to the resource of servicing the work item. In column 7, lines 38-67, and column 8, lines 1-2, Haq et al. discloses measuring how a resource is spending time compared with other resources and that resource's goals. Haq et al. discloses accessing marketability (SSIA) as well as a resource utilization index (RUI) and a preference match index for an

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employee (PMI) in column 6, lines 9-40, and column 9, lines 50-67, through column 10, lines 1-15.

Therefore, the 35 U.S.C. §103 rejections set forth in the previous office action are maintained.

### ***Conclusion***

7. No claims allowed.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rebecca Bachner** whose telephone number is 703-305-1872. The examiner can normally be reached on Monday - Friday from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Tariq Hafiz** can be reached on **(703)305-9643**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703)**

**308-1113**. Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

***Washington D.C. 20231***

or faxed to:

**(703) 305-7687** Official communications; including After Final  
communications labeled "Box AF"

**(703) 746-7306** Informal/Draft communications, labeled "PROPOSED"

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, VA, 7<sup>th</sup> floor receptionist.

*RMB*  
RMB  
November 25, 2002

  
**TARIQ R. HAFIZ**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**